

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BIOVAIL LABORATORIES	)	
INTERNATIONAL SRL,	)	
a corporation of Barbados,	)	
	)	
Plaintiff,	)	C. A. No. 05-586 (KAJ)
	)	(consolidated)
v.	)	
	)	
ANDRX PHARMACEUTICALS, LLC and	)	
ANDRX CORPORATION,	)	
	)	
Defendants.	)	

**NOTICE OF DEPOSITION OF SCOTT SMITH**

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the attorneys for Defendants Andrx Pharmaceuticals, LLC and Andrx Corporation (“Andrx”) will take a deposition upon oral examination of Scott Smith. The deposition will commence at 9:30 a.m. on April 20, 2006, at the offices of Foley & Lardner LLP, 90 Park Avenue, New York, New York 10016. The examination will be conducted before a person duly authorized and will be recorded by stenographic and videographic means.

You are invited to attend and cross-examine.

Respectfully submitted,

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*Attorneys for Defendants  
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Andrx Corporation*

March 31, 2006  
726148/30015

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FOR THE DISTRICT OF DELAWARE**

**CERTIFICATE OF SERVICE**

I, Richard L. Horwitz, hereby certify that on March 31, 2006, the attached document was hand-delivered on the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF.

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I hereby certify that on March 31, 2006, I have Electronically Mailed the documents to the following non-registered participants:

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